

PATENT

Atty. Dkt. No. YOR920030508US1

REMARKS

In view of the following discussion, the Applicants submit that none of the claims now pending in the application are anticipated under the provisions of 35 U.S.C. §102. Thus, the Applicants believe that all of the presented claims are in condition for allowance.

I. OBJECTION TO THE DRAWINGS

The Examiner objected to the Drawings under 37 C.F.R. 1.84(p)(5) for allegedly including reference numerals not mentioned in the Specification. In particular, the Examiner submits that the reference characters [R0, ..., RN] are not included in the Specification. In response, the Applicants have amended the Specification in order to conform with the Drawings.

In particular, the Applicants have amended paragraph [0003] of the Specification to indicate that the reference numerals [R0, ..., RN] denote the clients/receivers illustrated in Figure 1.

Accordingly, the Applicants respectfully submit that the Drawings now conform to the Specification and respectfully request that the objection to the Drawings under 37 C.F.R. 1.84(p)(5) be withdrawn.

II. OBJECTION TO CLAIM 17

The Examiner objected to claim 17 for informalities. In response, the Applicants have amended claim 17, in accordance with the Examiner's suggestion, to delete the period following the word "tree". Accordingly, the Applicants respectfully request that the objection to claim 17 be withdrawn.

III. REJECTION OF CLAIMS 1-38 UNDER 35 U.S.C. §102

The Examiner rejected claims 1-8 and 23-31 as being anticipated under 35 U.S.C. §102(e) by the Boivie et al. patent (U.S. Patent No. 6,625,773, issued September 23, 2003, hereinafter referred to as "Boivie"). In response, the Applicants have amended independent claims 1, 17, and 32 in order to more clearly recite aspects

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of the present invention. Claim 18 has been cancelled without prejudice. The remainder of the rejection is respectfully traversed.

The Examiner's attention is respectfully directed to the fact that Boivie fails to teach or suggest the novel invention in which a sender of a packet defines or varies the path(s) (e.g., portion(s) of a multicast tree) along which the packet should be sent, as recited in Applicants' independent claims 1, 9, 17, 23 and 32.

By contrast, the system taught by Boivie includes a plurality of routers that "[p]erform a route table lookup to determine the 'next hop' for each of the destinations listed in [a] packet" (Boivie, column 4, lines 20-21, emphasis added). That is, the routers use information (i.e., lookup tables) stored at the routers in order to determine a path for packet forwarding. Thus, the sender in Boivie's system may define who receives a packet, but the sender has no control over how the packet gets to the receivers (i.e., the paths that the packet travels).

Thus Boivie fails to teach or suggest a system in which the sender of a packet defines or varies the path(s) along which the packet should be sent, as recited in Applicants' independent claims 1, 9, 17, 23 and 32. This allows less information to be stored at and processed by the routers. Specifically, Applicants' claims 1, 9, 17, 23 and 32 positively recite:

1. A method for distributing content to a plurality of receivers, wherein said content is packetized into one or more packets, comprising:
 - establishing a multicast distribution tree rooted at a sender; and
 - directing the transmission of one or more packets along at least a portion of the multicast distribution tree,
 - wherein the at least a portion of the multicast distribution tree along which the one or more packets travel is varied by the sender on a packet-by-packet basis. (Emphasis added)
9. A method for distributing content to a plurality of receivers, wherein said content is packetized into at least one packet, comprising:
 - establishing a multicast distribution tree rooted at a sender; and
 - directing the transmission of the at least one packet along at least a portion of the multicast distribution tree,

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wherein the receivers to which the at least one packet is sent, and the paths along which the at least one packet is sent to the receivers, are defined by the sender. (Emphasis added)

17. A system for distributing content to a computer network comprising:
a server adapted for sending at least one data packet, where said at least one data packet contains at least a portion of a multicast distribution tree defined by the server for distributing the at least one data packet to at least a first group of receivers;

wherein both the server and the first group of receivers each comprise a packet forwarding mechanism. (Emphasis added)

23. A computer readable medium containing an executable program for distributing content to a plurality of receivers, wherein said content is packetized into one or more packets, where the program performs the steps of:

establishing a multicast distribution tree rooted at a sender; and

directing the transmission of one or more packets along at least a portion of the multicast distribution tree,

wherein the at least a portion of the multicast distribution tree along which the one or more packets travel is varied by the sender on a packet-by-packet basis. (Emphasis added)

32. A computer readable medium containing an executable program for distributing content to a plurality of receivers, wherein said content is packetized into one or more packets, where the program performs the steps of:

establishing a multicast distribution tree rooted at a sender; and

directing the transmission of the at least one packet along at least a portion of the multicast distribution tree,

wherein the receivers to which the at least one packet is sent, and the paths along which the at least one packet is sent to the receivers, are defined by the sender. (Emphasis added)

Since Boivie fails to teach or suggest defining or varying at a sender the path(s) (e.g., portion(s) of a multicast tree) along which a packet will travel, Boivie does not teach or suggest each and every element of Applicants' independent claims 1, 9, 17, 23, and 32. Moreover, dependent claims 2-8, 10-16, 19-22, 24-31, and 33-38 depend, respectively, from independent claims 1, 9, 17, 23, and 32 and recite additional features. As such, and for at least the same reasons set forth above with respect to

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claims 1, 9, 17, 23, and 32, the Applicants submit that claims 2-8, 10-16, 19-22, 24-31, and 33-38 are also not anticipated and are allowable.

Therefore, Applicants contend that claims 1-17 and 19-38 are patentable over Boivie and, as such, fully satisfy the requirements of 35 U.S.C. §102(e). Thus, Applicants respectfully request that the rejection of claims 1-17 and 19-38 under 35 U.S.C. §102(e) be withdrawn.


IV. CONCLUSION

Thus, the Applicants submit that all of the presented claims fully satisfy the requirements of 35 U.S.C. §102. Consequently, the Applicants believe that all of these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring the issuance of a final action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Kin-Wah Tong, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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